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Before the
Federal Communications Commission
Washington, D.C. 20554

MAR - 8 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
SBC/Ameritech Merger Order)	CC Docket No. 98-141
Proposed Changes to SBC's)	ASD File No. 99-49
Performance Measurements)	

COMMENTS OF
SBC COMMUNICATIONS INC.

In these supplemental comments, SBC/Ameritech reiterates the positions stated in its January 2, 2001, Petition and seeks to clarify the record by presenting additional background information that should assist the Commission in understanding the rationale for the proposed modification to Performance Measure 6a. The performance measurement (PM) modification being proposed by SBC is necessary and appropriate to more accurately reflect SBC/Ameritech's performance in provisioning CIA Centrex services to competitive local exchange carriers (CLECs) for resale. More importantly, the modification is necessary and appropriate to more accurately reflect SBC/Ameritech's performance in provisioning resale service in general. Without this change, every CIA Centrex installation, whether it meets or misses the CIA Centrex benchmark, would count as a "miss" of the measure as currently structured. In prior negotiations, the states and CLECs¹ agreed to the very same modified version of Performance

¹ A representative of McLeodUSA agreed to the modification to the CIA Centrex performance measure in an email to SBC on August 15, 2000. See Attachment A. The CIA Centrex resale disaggregation was then discussed in the IL collaborative 8/17/2000 as indicated by minutes posted on the Illinois Commerce Commission's (ICC) website. On February 2, 2001, the CLECs and SBC signed and submitted a Joint Petition (JP) with the ICC. Signatories include McLeod, AT&T, TCG, CoreComm, WorldCom, XO, Northpoint, Rhythms, Sprint, Focal, and Gabriel Communications. The Joint Petition clearly states: "At this juncture, there are no performance measurements which are still in dispute between Ameritech Illinois and the CLECs." An attachment to the Joint Petition explicitly lists the CIA Centrex disaggregation. See Attachment B.

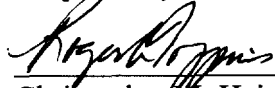
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Measure 6a, and based upon these agreements several states have already implemented the modified version of the measure.²

The effect of the proposed modification is that the performance results that will be reported for Performance Measure 6a will more accurately reflect SBC/Ameritech's performance in provisioning CIA Centrex service to CLECs for resale. The CIA Centrex service resale process is significantly different from the general local exchange service resale process, thus it requires a different type of performance measure. Without this modification to Performance Measure 6a, not only will the measure as currently structured give an inaccurate picture of SBC/Ameritech's performance in provisioning CIA Centrex services, SBC's provisioning performance generally will not be accurately reflected. No CLEC can be harmed by the change sought by SBC; however, SBC can be materially harmed without approval of this modification.

Respectfully Submitted,



Christopher M. Heimann

Juanita Harris

Roger K. Toppins

Its Attorneys

SBC Communications Inc.
1401 Eye Street, NW
Suite 1100
Washington, D.C. 20005
202-326-8909

March 8, 2000

² The Illinois Commerce Commission (ICC) posted Business Rules on its website on September 18, 2000, which included the CIA Centrex disaggregation on its Measure 27. *See Attachment C.* The Wisconsin Public Service Commission issued an Order in Docket 6720-T1-160 stating that the parties (including McLeod) had agreed on the resolutions of PMs which included the CIA Centrex disaggregation in its Measure 27 (set forth in Attachment F to the Order). *See Attachment D.* Three other states – Michigan, Ohio, and Indiana – have also adopted the same business rules.

ATTACHMENT A

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Petition for Resolution of)
Disputed Issues Pursuant to)
Condition (30) of the)
SBC/Ameritech Merger Order)

JOINT PETITION

Pursuant to the Commission's Orders of September 23, 1999, November 15, 1999, and November 23, 1999, Illinois Bell Telephone Company ("Ameritech Illinois"), along with AT&T Communications of Illinois, Inc. ("AT&T"); TCG Illinois, TCG Chicago, TCG St. Louis, CoreComm Illinois, Inc. ("CoreComm"); WorldCom, Inc. ("WorldCom"); McLeodUSA Telecommunications Services, Inc. ("McLeodUSA"); XO Illinois, Inc. ("XO"); Northpoint Communications, Inc. ("NorthPoint"); Rhythms Netconnections and Rhythms Links, Inc. ("Rhythms"); Sprint Communications L.P. ("Sprint"); Focal Communications Corporation of Illinois ("Focal"); and Gabriel Communications of Illinois, Inc. (collectively "CLECs"), respectfully request that the Commission resolve certain disputed issues arising out of the collaborative process required by Condition (30) of the SBC/Ameritech Merger Order (Docket 98-0555). In support of their joint submission, the parties state as follows:

1. Pursuant to Condition (30) of the SBC/Ameritech Merger Order, Ameritech Illinois, Staff and interested CLECs have been engaged in a collaborative process addressing performance measures, benchmarks and liquidated damages commitments. The parties participating in the Illinois collaborative have met 10 times covering 19 days and held 5 conference calls over a period of 10 months. In the course of these meetings, the parties have made significant progress in developing performance measurements that address specific areas of CLEC concern. Ameritech Illinois has agreed to add 38 new measurements, which disaggregate into 279 additional submeasures. Ameritech Illinois has also agreed to modify 70 existing measurements, adding 160 additional submeasures. It has modified basic business rules for 22 measurements. In addition, CLECs and Ameritech Illinois have agreed to remove 9 of the original Texas measurements.

2. At this juncture, there are no performance measurements which are still in dispute between Ameritech Illinois and the CLECs. Ameritech Illinois and the CLECs have agreed to a quarterly status meeting during March, when they will discuss progress to date as well as set the groundwork for the six-month review meeting to be scheduled for June 2001. Separately, Ameritech Illinois will be filing revised tariff pages implementing these agreed-upon performance measurements. A list of the agreed upon performance measures and applicable standards is attached as Appendix A.

3. There are two areas in which Ameritech Illinois and the CLECs are not in agreement. First, the parties disagree as to the appropriate remedies. Ameritech Illinois believes that the Texas Remedy Plan should be implemented, as has been done in accordance with the Company's commitment in the SBC/Ameritech merger proceeding. The CLECs have sponsored the Joint CLEC Remedy Plan, which they argue should be adopted by the Commission.¹ Second, the Joint CLEC Remedy Plan recommends that remedies be triggered if Ameritech Illinois' wholesale performance, while at parity with retail performance standards, still is below state-mandated performance benchmarks. Ameritech Illinois does not support this proposal.

4. The Joint Petitioners request that a proceeding be initiated addressing the above-described issues, so that they can be resolved by the Commission.

WHEREFORE, in view of the foregoing, the Petitioners request that a proceeding be initiated to resolve the issues outlined in this Joint Petition.

Respectfully submitted,

¹ Sprint introduced a separate remedy plan in the collaborative discussions that it may or may not introduce in this proceeding.

By: _____

Louise A. Sunderland

As Authorized By:
AMERITECH ILLINOIS

Date: _____

By: _____
(signature)

Douglas W. Trabaris

As Authorized By:
AT & T COMMUNICATIONS, INC.

Date: _____

By: _____
(signature)

Douglas W. Trabaris

As Authorized By:
TCG ILLINOIS, TCG CHICAGO AND TCG ST. LOUIS

Date: _____

By: _____
(signature)

Thomas J. O'Brien

As Authorized By:
CORECOMM ILLINOIS, INC.

Date: _____

By: _____
(signature)

Darrell S. Townsley

As Authorized By:
WORLD COM, INC.

Date: _____

By: _____
(signature)

William A. Haas

As Authorized By:
MCLEODUSA TELECOMMUNICATIONS SERVICES, INC.

Date: _____

By: _____

Carol P. Pomponio

As Authorized By:
XO ILLINOIS, INC.

Date: _____

By: _____
(signature)

_____Glenn A. Harris_____

As Authorized By:
NORTHPOINT COMMUNICATIONS, INC.

Date: _____

By: _____
(signature)

Thomas H. Rowland

As Authorized By:
RHYTHMS NETCONNECTIONS AND RHYTHMS LINKS, INC.

Date: _____

By: _____
(signature)

Kenneth A. Schiffman

As Authorized By:
SPRINT COMMUNICATIONS, L.P.

Date: _____

By: _____
(signature)

Paul Rebey

As Authorized By:
FOCAL COMMUNICATIONS CORPORATION OF ILLINOIS

Date: _____

By: _____
(signature)

Carrie J. Hightman

As Authorized By:
Gabriel Communications if Illinois, Inc.

Date: _____

STATE OF ILLINOIS

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COUNTY OF COOK

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VERIFICATION

I, Louise A. Sunderland, on oath state that I represent Ameritech Illinois, that I have read the foregoing Joint Petition, and that the information contained therein is true and correct to the best of my knowledge and belief.

Subscribed and Sworn to
Before me this _____ day of
January, 2001.

Notary Public

My Commission Expires:

STATE OF ILLINOIS

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COUNTY OF COOK

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VERIFICATION

I, Douglas W. Trabaris, on oath state that I represent AT & T Communications of Illinois, Inc., that I have read the foregoing Joint Petition, and that the information contained therein is true and correct to the best of my knowledge and belief.

Subscribed and Sworn to
Before me this _____ day of
January, 2001.

Notary Public

My Commission Expires:

STATE OF ILLINOIS

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COUNTY OF COOK

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VERIFICATION

I, Douglas W. Trabaris, on oath state that I represent TCG Illinois, TCG Chicago and TCG St. Louis, that I have read the foregoing Joint Petition, and that the information contained therein is true and correct to the best of my knowledge and belief.

Subscribed and Sworn to
Before me this _____ day of
January, 2001.

Notary Public

My Commission Expires:

STATE OF ILLINOIS

COUNTY OF COOK

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VERIFICATION

I, Thomas J. O'Brien, on oath state that I represent CoreComm Illinois, Inc., that I have read the foregoing Joint Petition, and that the information contained therein is true and correct to the best of my knowledge and belief.

Subscribed and Sworn to
Before me this _____ day of
January, 2001.

Notary Public

My Commission Expires:

STATE OF ILLINOIS

COUNTY OF COOK

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VERIFICATION

I, Darrell S. Townsley, on oath state that I represent WorldCom, Inc., that I have read the foregoing Joint Petition, and that the information contained therein is true and correct to the best of my knowledge and belief.

Subscribed and Sworn to
Before me this _____ day of
January, 2001.

Notary Public

My Commission Expires:

STATE OF ILLINOIS

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COUNTY OF COOK

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VERIFICATION

I, William A. Haas, on oath state that I represent McLeodUSA Telecommunications Services, Inc., that I have read the foregoing Joint Petition, and that the information contained therein is true and correct to the best of my knowledge and belief.

Subscribed and Sworn to
Before me this _____ day of
January, 2001.

Notary Public

My Commission Expires:

STATE OF ILLINOIS

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COUNTY OF COOK

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VERIFICATION

I, Carol P. Pomponio, on oath state that I represent XO Illinois, Inc., that I have read the foregoing Joint Petition, and that the information contained therein is true and correct to the best of my knowledge and belief.

Subscribed and Sworn to
Before me this _____ day of
January, 2001.

Notary Public

My Commission Expires: